

REMARKS

Applicants have carefully reviewed this application in light of the Office Action mailed March 22, 2004. Claims 1-13, 15-38 and 40-42 are pending in this application. Claims 1-6, 9-13, 15-38 and 40-42 are rejected. Claims 7 and 8 are objected to by the Examiner. Applicants previously canceled Claims 14 and 39 without prejudice or disclaimer. Applicants respectfully request reconsideration and favorable action in this case.

Objected Claims

Claims 7 and 8 stand objected to by the Examiner as being dependent on a rejected base claim. Applicants respectfully assert that Claim 8 is written in independent form and request the Examiner to withdraw the objection and to allow Claim 8.

Claim 7 depends from and provides further patentable limitations to independent Claim 6. Because Claim 6 is deemed allowable, Claim 7 is allowable. Therefore, Applicants request withdrawal of the objection and allowance of Claim 7.

Rejections under 35 U.S.C. § 103

Claims 1-13 stand rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,949,882 issued to Michael F. Angelo (hereinafter "Angelo") and Authoritative Dictionary of IEEE Standards (hereinafter "IEEE Standards") in view of U.S. Patent No. 6,282,649 issued to Howard Shelton Lambert (hereinafter "Lambert"). The Examiner has indicated her allowance of Claims 7 and 8. Applicants respectfully traverse and submit that Claims 1-6 and 9-13 are patentable over Angelo and IEEE Standards in view of Lambert.

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Angelo discloses a "method for permitting access to secured computer resources based upon a two-piece user verification process." (Abstract)

Lambert discloses that "[t]he security of stored data and applications is improved by and access control system and method in which user keys for accessing the stored data/services which keys are provided to users and representative of the user's level of authority, such that there is not need to maintain a separate lookup table of user authority levels." (Abstract)

Applicants' Claim 1 recites various elements including, among others, "an executable program code that verifies validity of the access token by comparing the security code to a verification data on the access token, whereby if the security code matches verification data the access token is valid" and "an executable program code that receives a set of security policies from the access token in the processor if the access token is valid."

Applicants' amended Claim 6 recites various elements including, among others, "an executable program code that sets security policies in the processor, wherein one of the one or more policies includes a BIOS control information that is used to configure the computer system."

Neither Angelo nor Lambert make obvious Claims 1 and 6 of Applicants' invention because there is no teaching or suggestion to make the claimed combination of Angelo and Lambert. And, there is no reasonable expectation of success found in the prior art. For instance, even if Angelo and Lambert were to be combined, the combination would not disclose or suggest "an executable program code that verifies validity of the access token by comparing the security code to a verification data on the access token, whereby if the security code matches verification data the access token is valid" and "an executable program code that *receives a set of security policies from the access token in the processor if the access token is valid.*" as recited by Claim 1. (emphasis added) Additionally, neither Angelo and Lambert disclose, teach or suggest "an executable program code that *sets security policies in*

the processor, wherein one of the one or more policies includes a BIOS control information that is used to configure the computer system," as recited by Claim 6. (emphasis added)

In fact, there is no motivation to combine Angelo with Lambert as suggested by the Examiner. Neither Angelo nor Lambert suggest that "a set of security policies" are stored in the access token such that the security policies are received in a processor if the access token is valid. Therefore, Applicant submits that neither Angelo or Lambert alone or in combination suggest Applicants' disclosure.

The Examiner has stated that a security level is a security policy. (Paper No. 17 page 2) Applicants' respectfully disagree with the Examiner's statement. In fact, Applicant's direct the Examiner's attention to Applicant's disclosure at page 18 lines 15-26 for examples of Applicants' security policy.

Regarding Claim 6, the Examiner has taken "Official Notice that having a security policy for bios control information is well-known." (Paper No. 17 page 5) Applicants respectfully disagree. Additionally, Applicants bring to the Examiner attention her remarks regarding claim 6 as being allowable. (See Paper No. 6 page 9) Therefore, Applicants request the Examiner to provide a reference regarding this rejection of independent claim 6.

Therefore, Applicant asserts that neither Angelo or Lambert, alone or in combination, makes obvious Applicants' Claims 1 and 6. As such, Applicants request reconsideration and withdrawal of the rejections and allowance of Claims 1 and 6.

Claims 2-5 and 9-13 depend from and provide further patentable limitations to independent Claim 1. Because Claim 1 is deemed allowable, Claims 2-5 and 9-13 are allowable. Regarding Claims 7 and 8, in light of the above, Applicants assert that Claims 7 and 8 are allowable. Therefore, Applicants respectfully request the Examiner to reexamine, reconsider, withdraw the rejection to and allow Claims 1-13.

Claims 15-25 stand rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Lambert and IEEE Standards in view of Angelo. Applicants respectfully traverse and submit that Claims 15-25 are patentable over Lambert and IEEE Standards in view of Angelo.

Applicant's amended Claim 15 recites various elements including, among others, an "access token further includes verification data, the verification data operable to provide the

security policies to the nonvolatile memory if the security code matches an authentication code stored in the access token.”

Neither Angelo nor Lambert make obvious Claim 15 of Applicants' invention because there is no teaching or suggestion to make the claimed combination of Angelo and Lambert. And, there is no reasonable expectation of success found in the prior art. For instance, even if Angelo and Lambert were to be combined, the combination would not disclose or suggest "access token further includes verification data, the *verification data operable to provide the security policies to the nonvolatile memory if the security code matches an authentication code stored in the access token*” as recited by Claim 15. (emphasis added)

In fact, there is no motivation to combine Angelo with Lambert as suggested by the Examiner. Neither Angelo nor Lambert suggest that “security policies” are received in nonvolatile memory “if the security code matches an authentication code stored in the access token.” Therefore, Applicant submits that neither Angelo or Lambert alone or in combination suggest Applicants’ disclosure.

The Examiner has stated that a security level is a security policy. (Paper No. 17 page 2) Applicants’ respectfully disagree with the Examiner’s statement. In fact, Applicant’s direct the Examiner’s attention to Applicant’s disclosure at page 18 lines 15-26 for examples of Applicants’ security policy.

Therefore, Applicant asserts that neither Angelo or Lambert, alone or in combination, makes obvious Applicants’ Claims 15. As such, Applicants request reconsideration and withdrawal of the rejections and allowance of Claim 15.

Claims 16-25 depend from and provide further patentable limitations to independent Claim 15. Because Claim 15 is deemed allowable, Claims 16-25 are allowable. Therefore, Applicants respectfully request the Examiner to reexamine, reconsider, withdraw the rejection to and allow Claims 15-25.

Claims 26-42 stand rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Angelo, IEEE Standards, Lambert, and further in view of U.S. Patent 5,323,465 issued to Simon A. B. Avarne ("Avarne"). Applicants respectfully traverse and

submit that Claims 26-42 are patentable over Angelo, IEEE Standards, Lambert, and further in view of Avarne.

Avarne discloses a "plurality of portable tokens [that] are issued e.g. for authenticating instructions within an electronic banking network." (Abstract)

Applicant's Claim 26 recites various elements including, among others, "comparing the verification data to the master password and the nonvolatile storage device password for access to the computer system."

Applicant's Claim 28 recites various elements including, among others, "setting a security policy in the information handling system; and unlocking a nonvolatile storage device on the information handling system."

Applicant's Claim 29 recites various elements including, among others, "accessing the computer system with a user input password combined with a token access password such that the combined passwords match the one or more security policies configured in the computer system."

Applicant's Claim 35 recites various elements including, among others, "matching a computer system password with the user input password with the one or more passwords from the access token to access the computer system, wherein the computer system password includes one or more security policies configured in the computer system."

Applicant's Claim 40 recites various elements including, among others, a "security code stored on the access token, wherein the communication device transmits the one or more security policies in response to receiving an authentication code corresponding to the security code."

Applicant's Claim 41 recites various elements including, among others, "means for verifying the validity of the access token based on a comparison of the authentication password to the security policy; means for setting security policies in the computer system; and means for unlocking a nonvolatile storage device on the computer system."

Applicant's Claim 42 recites various elements including, among others, "means for verifying the validity of the access token based on a comparison of the authentication password to the security policy; means for setting security policies in the information handling system; and means for unlocking a nonvolatile storage device on the information handling system."

Neither Angelo, Lambert nor Avarne make obvious Claims 26, 28, 29, 35, 40, 41 and 42 of Applicants' invention because there is no teaching or suggestion to make the claimed combination of Angelo, Lambert and Avarne. And, there is no reasonable expectation of success found in the prior art. For instance, even if Angelo, Lambert and Avarne were to be combined, the combination would not disclose or suggest "*comparing the verification data to the master password and the nonvolatile storage device password for access to the computer system*" as recited by Claim 26. (emphasis added) Additionally, neither Angelo, Lambert and Avarne disclose, teach or suggest "*setting a security policy in the information handling system; and unlocking a nonvolatile storage device on the information handling system,*" as recited by Claim 28. (emphasis added)

Additionally, neither Angelo, Lambert and Avarne disclose, teach or suggest "accessing the computer system with a *user input password combined with a token access password such that the combined passwords match the one or more security policies* configured in the computer system," as recited by Claim 29. (emphasis added) Further, neither Angelo, Lambert and Avarne disclose, teach or suggest "*matching a computer system password with the user input password with the one or more passwords from the access token to access the computer system, wherein the computer system password includes one or more security policies configured in the computer system,*" as recited by Claim 35. (emphasis added)

Additionally, neither Angelo, Lambert and Avarne disclose, teach or suggest a "*security code stored on the access token, wherein the communication device transmits the one or more security policies in response to receiving an authentication code* corresponding to the security code," as recited by Claim 40. (emphasis added) Additionally, neither Angelo, Lambert and Avarne disclose, teach or suggest "means for *verifying the validity of the access token based on a comparison of the authentication password to the security policy*; means for *setting security policies* in the computer system; and means for *unlocking a nonvolatile storage device* on the computer system," as recited by Claim 41. (emphasis added) Lastly, neither Angelo, Lambert and Avarne disclose, teach or suggest "means for *verifying the validity of the access token based on a comparison of the authentication password to the security policy*; means for *setting security policies* in the information handling system; and

means for *unlocking a nonvolatile storage device* on the information handling system," as recited by Claim 42. (emphasis added)

In fact, the Examiner has stated that Avarne discloses a "master password" (Paper No. 17 page 8) Applicants respectfully disagree. Applicants submit that Avarne discloses a "unlocked out user transmits the central authority the random number with his token has displayed together with the identity of his account." (col. 3 lines 30-33) Based in this information, the authority responds with a "response number" to unlock the token. (See col. 3, lines 34-42) Indeed, Applicants assert this is not a "master password" but a specific password for the individual token.

The Examiner has stated that a security level is a security policy. (Paper No. 17 page 2) Applicants' respectfully disagree with the Examiner's statement. In fact, Applicant's direct the Examiner's attention to Applicant's disclosure at page 18 lines 15-26 for examples of Applicants' security policy.

Therefore, Applicant asserts that neither Angelo, Lambert or Avarne, alone or in combination, makes obvious Applicants' Claims 26, 28, 29, 35, 40, 41 and 42. As such, Applicants request reconsideration and withdrawal of the rejections and allowance of Claims 26, 28, 29, 35, 40, 41 and 42.

Claim 27 depends from and provides further patentable limitations to independent Claim 26. Claims 30-34 depend from and provide further patentable limitations to independent Claim 29. Claims 36-38 depend from and provide further patentable limitations to independent Claim 35. Because Claims 26, 29 and 35 are deemed allowable, Claims 27, 30-34 and 36-38 are allowable. Therefore, Applicants respectfully request the Examiner to reexamine, reconsider, withdraw the rejection to and allow Claims 26-42.

CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the rejections and allowance of the claims, as amended.

Applicants enclosed a Petition for a One-Month Extension of Time and check in the amount of \$110.00 to cover the fees for the extension.

Applicants believe no further fee is due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0383 of Baker Botts L.L.P.

Respectfully submitted,

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